

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

Applicants thank the Examiner for the telephonic interview on May 26, 2004. Applicants foregoing amendments include the proposed amended claims that the Examiner agreed overcome the prior art cited in the April 23, 2004 Office Action. The following remarks summarize the reasons that those amended claims overcome this prior art as discussed during the interview.

Status of the Claims

Claims 1-34 were originally pending in this application. Claims 20-23 and 34 have been cancelled. Thus, claims 1-19 and 24-33 are currently pending. Claims 1, 15, 16 and 24 are independent. By this Amendment, independent claims 1, 15, 16 and 24 are amended. No new matter has been added by this Amendment.

Claim Objections

Claim 1 has been objected to by the Examiner based on an informality. That claim has been amended in response to the Examiner's objection.

Rejection under 35 U.S.C. §103

Claims 1, 7, 9, 13-16 and 24-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,553,735 to Kimura ("Kimura") in view of U.S. Patent No. 5,852,590 to de la Huerga ("Huerga").

Kimura discloses a vessel where an "outer shell and inner shell form a cavity in which decorations and/or information can be stored." Col. 1, lines 41-42. Fig. 8 of Kimura illustrates a vessel with a cavity 53 in which decorations are inserted. The Kimura specification states that Fig. 8 is similar to Fig. 4, where the bottom closure piece is removed to allow insertion of the

decorations. See Col. 3, lines 39-43. Thus, the decorations are not flush with the outer shell and are instead inserted between the inner shell and the outer shell from the bottom of the vessel. As stated by the Examiner, “since the outer shell (42) is included in the system to cover the first opening of the sidewall; therefore, Kimura fails to teach the first opening being external.”

Huerga discloses a medication container that “includes a vial 20 with an interactive label 50 and an automated cap 100 with a sensing tab 110 for reading the electronically stored information 80 on the label” Col. 8, lines 55-57. Huerga also discloses that:

[t]he vial 20 includes a first means for aligning the interactive label 50 with a predetermined location of the wall 22. This alignment means is accomplished by forming a recess 28 in the outer surface 27 of the wall 22. The recess 28 is defined by an inwardly projecting ridge 29 that extends around the perimeter of the recess. Col. 9, lines 1-6.

Huerga later states that the interactive label includes adhesive coating 55 on its back side “for affixing the label in the recess 28 of the wall 22 of the vial 20.” Col. 9, lines 62-64.

The Examiner states that “[i]t would have been obvious to a person of ordinary skill in the art at the time of the invention was made to make the Kimura interior compartment so that the Kimura display securely fits in the interior compartment, is displayed from the first external opening on the sidewall, and lies substantially flush with the sidewall, in view of the teaching in the Huerga reference, because this would eliminate the use of the outer shell (42) of the system as shown in fig. 6, thereby reducing the cost of the system.” Applicants respectfully disagree with this statement for the following reasons.

Independent claim 1 recites “an interior compartment located within said container and extending inward into said container,” As discussed during the interview, neither Kimura or Huerga teaches or discloses an interior compartment that houses the display system and extends

inward into the container. Thus, independent claim 1 is distinguishable over the combination of Kimura and Huerga.

Independent claims 15 and 16 recite a “container having an interior housing cavity with two distinct diametrically opposite openings in said sidewall to house a display system” This structure is illustrated in Fig. 3 of the specification. As discussed during the interview, neither Kimura nor Huerga teaches or discloses an interior housing cavity with two distinct diametrically opposite openings. Thus, independent claims 15 and 16 are distinguishable over the combination of Kimura and Huerga.

Independent claim 24 recites a “first container having a first compartment in its interior, such that the first compartment extends inward into said first container, is hollow and is accessible from said first external opening” As discussed during the interview, neither Kimura or Huerga teaches or discloses a first compartment that houses the image generation means and extends inward into the first container. Thus, independent claim 24 is distinguishable over the combination of Kimura and Huerga.

As a result, Applicants respectfully assert that independent claims 1, 15, 16 and 24 are distinguishable over the combination of Kimura and Huerga for at least the above reasons. Claims 7, 9, 13-14 and 25-33, which depend from those independent claims, are also asserted to be distinguishable for at least the same reasons.

Claims 2-6, 10-12 and 17-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kimura in view of Huerga, and further in view of U.S. Patent No. 6,084,526 to Blotky et al. (“Blotky”).

Applicants respectfully assert that independent claims 1, 15 and 16 are distinguishable over the combination of Kimura and Huerga for at least the reasons stated above. Applicants

respectfully assert that claims 2-6, 10-12 and 17-19, which depend from those independent claims, are also distinguishable over Kimura, Huerga and Blotky for at least the same reasons.

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Kimura in view of Huerga, and further in view of U.S. Patent No. 5,339,548 to Russell ("Russell").

Applicants respectfully assert that independent claim 1 is distinguishable over Kimura and Huerga for at least the reasons stated above. Applicants respectfully assert that claim 8, which depends from independent claim 1, is also distinguishable over the combination of Kimura, Huerga and Russell for at least the same reasons.

CONCLUSION

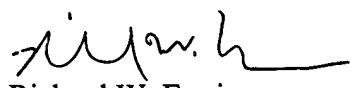
Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees that may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4148-4002. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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